

BROWN RUDNICK LLP

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*Counsel for Christopher Dorrien Johnson, Russell Homer,
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in their capacity as the Joint Official Liquidators and Foreign
Representatives of the AwalCo Entities*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:	:	Chapter 15
Awal Finance Company (No. 5) Limited, et al.,¹	:	Case No. 15-10652 (MEW)
	:	Jointly Administered
Debtors in Foreign Proceedings.	:	Hon. Judge Michael E. Wiles
	:	

STATUS REPORT

Christopher Dorrien Johnson, Russell Homer, Bruce Alexander Mackay, and Geoffrey Lambert Carton-Kelly, in their capacities as the Joint Official Liquidators (“JOLs”) and as duly authorized foreign representatives (the “Foreign Representatives”) of the AwalCo Entities, debtors in insolvency proceedings under Cayman Islands law currently pending before the Grand Court of the Cayman Islands, Financial Services Division (the “Foreign Main Proceedings”), recognized under 11 U.S.C. § 1517(b)(1) as a foreign main proceeding pursuant to the *Order*

¹ The “AwalCo Entities” or the “Debtors,” along with the last four digits of each Debtor’s registration number, are: Awal Master Fund (8344); Awal Feeder 1 Fund Limited (8345); Awal Finance Company Limited (2434); Awal Finance Company (No. 2) Limited (6834); Awal Finance Company (No. 3) Limited (6837); Awal Finance Company (No. 4) Limited (4954); and Awal Finance Company (No. 5) Limited (6754). The mailing address of the Debtors’ Registered Office is c/o Chris Johnson Associates, P.O. Box 2499, Phase III Elizabethan Square, 80 Sheden Road, George Town Grand Cayman KY1-1104, Cayman Islands.

Recognizing Foreign Main Proceedings and Granting Related Relief, dated May 5, 2015 (the “Recognition Order”) [Docket No. 15], by their undersigned United States counsel, Brown Rudnick LLP, hereby provide this Status Report at the request of this Court and state the following²:

1. The AwalCo Entities’ Foreign Main Proceedings remain pending in the Grand Court of the Cayman Islands, Financial Services Division (the “Cayman Islands Court”).
2. On June 19, 2018, the Foreign Representatives filed the June 2018 Supplemental Status Report following the May 31, 2018 Cayman Islands Court’s public decision (the “Cayman Judgment”) dismissing AHAB’s \$9.2 billion claim and also dismissing a counterclaim brought by other defendants to the claim.³ The June 2018 Supplemental Status Report also stated that on June 14, 2018, AHAB lodged a timely notice of appeal of the Cayman Judgment to the Cayman Islands Court of Appeal.⁴ At a Hearing before the Chief Justice of the Cayman Islands on

² The Court is undoubtedly familiar with the Foreign Representatives’ prior Status Reports, dated March 11, 2016 [Docket No. 35], June 27, 2016 [Docket No. 37], August 26, 2016 [Docket No. 39], October 25, 2016 [Docket No. 41], December 23, 2016 [Docket No. 43], March 20, 2017 [Docket No. 47], May 16, 2017 [Docket No. 49], July 17, 2017 [Docket No. 51], September 13, 2017 [Docket No. 53], November 13, 2017 [Docket No. 55], January 16, 2018 [Docket No. 57], March 15, 2018 [Docket No. 59], May 16, 2018 [Docket No. 60], July 17, 2018 [Docket No. 63], September 17, 2018 [Docket No. 65], November 16, 2018 [Docket No. 67], January 17, 2019 [Docket No. 69], and the June 19, 2018 Supplemental Status Report [Docket No. 62] (the “June 2018 Supplemental Status Report”) which are incorporated herein by reference, and thus, where possible, the Foreign Representatives have avoided repeating herein certain background information concerning the Foreign Representatives, these jointly administered Chapter 15 proceedings, the Foreign Main Proceedings pending in the Cayman Islands, and the Bahrain Awal Bank Proceeding (which remains ongoing), and respectfully refer the Court to the Foreign Representatives’ March 11, 2016 Status Report [Docket No. 35] for that background information. The Foreign Representatives incorporate the March 11, 2016 Status Report [Docket No. 35], June 27, 2016 Status Report [Docket No. 37], August 26, 2016 Status Report [Docket No. 39], October 25, 2016 Status Report [Docket No. 41], December 23, 2016 Status Report [Docket No. 43], March 20, 2017 Status Report [Docket No. 47], May 16, 2017 Status Report [Docket No. 49], July 17, 2017 Status Report [Docket No. 51], September 13, 2017 Status Report [Docket No. 53], November 13, 2017 Status Report [Docket No. 55], January 16, 2018 Status Report [Docket No. 57], March 15, 2018 Status Report [Docket No. 59], May 16, 2018 Status Report [Docket No. 60], June 2018 Supplemental Status Report [Docket No. 62], the July 17, 2018 Status Report [Docket No. 63], the September 17, 2018 Status Report [Docket No. 65], the November 16, 2018 Status Report [Docket No. 67], and the January 17, 2019 Status Report [Docket No. 69] herein by reference. Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the March 11, 2016 Status Report [Docket No. 35].

³ See June 2018 Supplemental Status Report at ¶ 2.

⁴ See id. at ¶ 3.

September 6, 2018 AHAB was ordered to pay the Defendants' costs of the claim on an indemnity basis - such costs to be assessed at a future date, if not agreed. Other costs-related Hearings remain pending before the Chief Justice.

3. AHAB's appeal of the Cayman Judgment will be heard in May/June 2019.⁵

4. On September 7, 2018, AHAB timely filed its grounds for appeal of the Cayman Judgment.⁶ On October 11, 2018 the Cayman Islands Court of Appeal gave permission to AHAB to amend its grounds of appeal.⁷ AHAB timely filed detailed appeal submissions by December 14, 2018. AHAB applied to the Cayman Islands Court of Appeal to re-amend its Grounds of Appeal and permission was granted by the Cayman Islands Court of Appeal on February 25, 2019. The Foreign Representatives are continuing to consider and, pursuant to the Cayman Islands Court's procedures, will respond to AHAB's detailed appeal submissions in due course.

5. The Cayman Islands Court of Appeal ordered AHAB to pay Security for Costs of the appeal by February 1, 2019, which AHAB did on February 4, 2019 (having now secured permission from the Cayman Islands Court of Appeal for late posting). As Security for Costs was deemed timely paid, AHAB's appeal of the Cayman Judgment will be heard in May and June 2019.

6. The Foreign Representatives will continue to update the Court periodically as previously directed by the Court.

⁵ See July 17, 2018 Status Report [Docket No. 63] at ¶ 3.

⁶ See September 17, 2018 Status Report [Docket No. 65] at ¶ 4.

⁷ See November 16, 2018 Status Report [Docket No. 67] at ¶ 4.

Dated: March 18, 2019
New York, New York

Respectfully submitted,
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